

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division



UNITED STATES OF AMERICA

v.

BRETT WILLIAM JANES,

Defendant.

Case No. 1:23-CR-140.

Count 1: 18 U.S.C. § 2251(a) & (e),
Sexual Exploitation of Children

Count 2: 18 U.S.C. § 2251(a) & (e),
Sexual Exploitation of Children

Count 3: 18 U.S.C. § 2422(b),
Attempted Coercion and Enticement

Count 4: 18 U.S.C. § 2252(a)(2) & (b)(1),
Receipt of Child Pornography

Forfeiture Notice: 18 U.S.C. § 2253(a)

INDICTMENT

August 2023 Term—at Alexandria, Virginia

COUNT ONE

(Sexual Exploitation of Children - 18 U.S.C. § 2251(a) & (e))

THE GRAND JURY CHARGES THAT:

Between or about January 1, 2023 and continuing through on or about February 20, 2023, in the Eastern District of Virginia and elsewhere, the defendant, BRETT WILLIAM JANES, attempted to and did employ, use, persuade, induce, entice, and coerce a minor, namely MINOR VICTIM 1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, and he knew and had reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that visual depiction was produced and transmitted using materials that

had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, and that visual depiction has actually been transported and transmitted using any means and facility of interstate commerce and affecting interstate and foreign commerce, to wit: the creation of a live sexually explicit video of MINOR VICTIM 1 over Discord.

(All in violation of Title 18, United States Code, Section 2251(a) & (e).)

COUNT TWO
(Sexual Exploitation of Children - 18 U.S.C. § 2251(a) & (e))

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 13, 2023, in the Eastern District of Virginia and elsewhere, the defendant, BRETT WILLIAM JANES, attempted to and did employ, use, persuade, induce, entice, and coerce a minor, namely MINOR VICTIM 3, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and he knew and had reason to know that the visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and that visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, and that visual depiction has actually been transported and transmitted using any means and facility of interstate commerce and affecting interstate and foreign commerce, to wit: the creation of a sexually explicit image of MINOR VICTIM 3 over Discord.

(All in violation of Title 18, United States Code, Section 2251(a) & (e).)

COUNT THREE
(Attempted Coercion and Enticement - 18 U.S.C. § 2422(b))

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about April 13, 2023 and continuing through on or about April 18, 2023, in the Eastern District of Virginia and elsewhere, the defendant, BRETT WILLIAM JANES, attempted to use a facility and means of interstate and foreign commerce to knowingly persuade, induce, entice, and coerce any individual who had not attained the age of 18 years to engage in sexual activity for which any person can be charged with a criminal offense, namely, the sexual exploitation of minors, in violation of 18 U.S.C. § 2251(a) and use of communications systems to solicit a child under eighteen, namely MINOR VICTIM 2, which was a criminal offense under Virginia Code 18.2-374.3(C)(1) and (D).

(All in violation of Title 18, United States Code, Section 2422(b) and 18 United States Code, Section 2427.)

COUNT FOUR
(Receipt of Child Pornography - 18 U.S.C. § 2252(a)(2) & (b)(1))

THE GRAND JURY FURTHER CHARGES THAT:

Between on or about March 19, 2023 and continuing through on or about May 27, 2023, in the Eastern District of Virginia and elsewhere, the defendant, BRETT WILLIAM JANES knowingly received, and attempted to receive, visual depictions using any means and facility of interstate and foreign commerce, and that had been transported in and affecting interstate and foreign commerce, by any means including by computer; and the producing of such visual depictions involved the use of a minor engaging in sexually explicit conduct and the visual depictions were of such conduct, to wit: videos and images of MINOR VICTIM 2, MINOR VICTIM 3, MINOR VICTIM 4, and MINOR VICTIM 5 and a package of child sexual abuse material transmitted using Telegram and received using a iPhone 11 Pro Max cell phone (serial number: G6TD31BHN70H).

(All in violation of Title 18, U.S. Code, Section 2252(a)(2) and (b)(1).)

FORFEITURE NOTICE

THE GRAND JURY FURTHER FINDS THAT:

The defendant, BRETT WILLIAM JANES, is hereby notified, pursuant to Federal Rule of Criminal Procedure 32.2(a), that upon conviction of Counts One or Two of the Indictment, he shall forfeit to the United States: (1) any visual depiction described in 18 U.S.C. §§ 2251, 2251A, 2252, 2252A, 2252B, or 2260, and any matter that contains any such visual depiction, which was produced, transported, mailed, shipped, and received in violation of this chapter; (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and (3) any property, real or personal, used or intended to be used to commit or to promote the commission of the offense, and any property traceable to such property. This property includes, but is not limited to:

- 1) iPhone 11 Pro Max cell phone – S/N G6TD31BHN70H; and
- 2) Apple iPhone 11 Pro Max - S/N: G6TD31BHN70H; and
- 3) 1 TB Toshiba drive removed from ASUS desktop computer - S/N: 74U70DWNS; and
- 4) 1 TB Western Digital drive removed from Thermaltake desktop computer - S/N: WD-WCC6Y5ZHPFZE

If any property subject to forfeiture is unavailable, the United States may seek an order forfeiting substitute assets pursuant to Title 21, U.S. Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).

(All in accordance with Title 18, United States Code, Section 2253; Title 21 U.S. Code, Section 853(p); and Fed. R. Crim. P. 32.2(a) & 32.2(e).)


A TRUE BILL

Pursuant to the E-Government Act,,
The original of this page has been filed
under seal in the Clerk's Office

FOREPERSON

Jessica D. Aber
United States Attorney

By:



McKenzie Hightower
Special Assistant United States Attorney (LT)